

United States District Court  
District of Oregon

A.B. et al.

v.

Andrew Kowalczyk  
Defendant.

Civil case #: 3:19-CV-01521-MO

Motion to stay or continue, notice of  
denial of access to courts do to  
Coronavirus - U.S.P. on lockdown. Notice  
of prior mailing of submissions. Motion to  
Leave.

Defendant hereby moves for a stay or continuance do to the Coronavirus, U.S.P. Tucson where defendant is housed has been on lock down for past two months approximately. For the past month more severely - totally. Further, Defendant was attached and is in SITU where all his legal material has been taken from him (all his property was taken) since 3/26/20. In the SITU only 3 pieces of paper are given, one golf pencil, SITU staff did not sell commissary to Defendant thus he could not buy stamps to mail even (another inmate gave stamp to mail this). Defendant has no access to law library and any of his materials, ect. It is moved for a stay or continuance until the Coronavirus lockdown is over - motion to leave 4/8/20 summary judgement is move for do to the above too. Further, notice is given Defendant did mail in a short reply done with out legal materials in March, it is unknow if this court recieve it, but one was mailed in weeks before 4/8 deadline. Further, a simular reply was mail to Defendants Father in Portland around the same time including the same <sup>over</sup> content. The reply contained the following motions for dismissals/summary judgement based on Rule 12(b) (1-6)

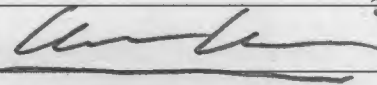
REC'D 24 APR '20 10:59 UTC ORP

rule 4 or 5 violations:

- ① D.L. claim must be dismissed do to statute of limitations expired under 18 USC 2255, 3 years past 18 years old, D.L. was 23 years old when suit file. ect.
- ② The declaration by Yamhill sheriff service is fraudulent, it is impossible to hand me personally complaint/summons while I was on suicide watch at Sheridan FCI, motion to leave filed to conduct discovery - subpoenas requested, Sheridan staff, policy, psychologist, records in existence will show Defendant could not possess anything, be given any papers while on suicide ~~watch~~ watch, Defendant never given papers!
- ③ That Erin Olsen as conservator has/had no standing to file this lawsuit on behalf of AB, SB and P.L., thus the ~~so~~ lawsuit is invalid - must be dismissed, Olsen never appointed for this civil case.
- ④ The conviction plaintiffs rely on is based on fraudulent, corrupt evidence - court - ineffective counsel - corrupt court - inadmissible evidence - perjured testimony - fraud - and cannot be de facto proof of the crime occurring.
- ⑤ Also this court has been moved to recuse it self, see records in criminal case 3:08-45-MO

4/16/20

Date

  
Mr. Andrew Kowalczyk

PROSE